

to arms sales to Taiwan, the Taiwan Relations Act, as the law of the land, must override the communique. He referred to an April 22, 1994 letter he received from Secretary Christopher saying that the Administration agrees that the Taiwan Relations Act takes legal precedence over the communique.

Indeed, it is true that the Taiwan Relations Act takes legal precedence over the 1982 Joint Communique. One is the law of the land, and the other is a diplomatic agreement not ratified by Congress.

But that is precisely what makes this provision superfluous. If the intent is to say that the law of the land takes legal precedence over other documents, it is absolutely unnecessary. If we add this language to the Taiwan Relations Act, we may as well add it to every other law we pass: "The provisions of this act supersede the speech made by the President on a similar topic on such-and-such a date."

The Senator from Alaska says the meaning of the word "supersede" is that the Taiwan Relations Act overrides the Communique only if their provisions conflict. He cites the Oxford English Dictionary's definition of "supersede." But, according to Webster's Third New International Dictionary, the word "supersede" also means "to make obsolete," "to make void," "to annul," "to make superfluous or unnecessary," and "to take the place of and outmode by superiority."

Therefore, regardless of the provision's intent, it has the appearance of Congress issuing a wholesale repudiation of the 1982 Joint Communique.

This Joint Communique includes not just a paragraph on arms sales, but a reaffirmation of the One-China policy and the principles of sovereignty and territorial integrity as espoused in the two previous Joint Communiques of 1972 and 1979. By saying we supersede the 1982 Joint Communique, we give the impression that we might be repudiating it outright. To do this would shake United States-China relations to their very core. The fundamental basis of the relationship would be called into question.

Under any circumstances, this would be a dangerous course of action, but it is especially so at this extremely sensitive time in relations between the United States, China, and Taiwan.

Congress needs to be exceedingly careful not to take actions that will have farther-reaching effects than we intend. We should not underestimate how seriously this provision—which may seem harmless to us—would be viewed not just in Beijing, but also in Taipei.

It seems particularly foolhardy to take such a risk over an unnecessary provision, which essentially says nothing more than that the law of the land is the law of the land, which of course it is.●

#### SOCIAL SECURITY EARNINGS TEST

● Mr. SMITH. Mr. President, last night, the Senate passed the "Contract With America Advancement Act." I rise to speak to one provision of that legislation, which I believe is a significant achievement for senior citizens. That is the "Senior Citizens' Right to Work Act of 1996." This legislation raises the Social Security earnings limit to \$30,000 by the year 2002, more than double what it would be under current law.

Every year, the earnings limitation test takes \$1 of every \$3 that Social Security beneficiaries 65 to 69 years old earn above \$11,280. I hear from hundreds of senior citizens every year complaining that this test is unfair. And they are correct. In fact, the earnings test affects an estimated 1.4 million beneficiaries each year.

More importantly, Mr. President, the earnings test flies right smack in the fact of the most basic principles we teach our kids in grade school economics. Specifically: no work, no pay. Can you imagine trying to explain a system that pays people not to work? Well, that is what our Social Security system does with the earnings test.

You might argue that our welfare system has similar disincentives, and you would be absolutely right. The Republican Congress is trying to fix that. If only we could overcome the little obstacle of President Clinton's veto pen, we would be well on our way to real welfare reform.

But, the earnings test takes this perverse concept one step further. And this is where we really get into the fairness issue. It says that if you are wealthy and you get your income through interest or dividends, you get full benefits. But, if you are poor and need to work to supplement your income, you get penalized. Seniors have been waiting a long time for this reform. It was in the Contract With America, and it is a part of the Republican Party Platform. I am pleased that we are about to make good on our promise to America's seniors.●

#### TRIBUTE TO JUDGE KING OF FLORIDA

● Mr. GRAHAM. The State of Florida has produced some of the finest legal minds in America's judicial system. The personification of that standard of excellence is U.S. District Judge James Lawrence King of Miami.

As a native of the Miami community, I am honored to be part of the effort to name the Federal justice building in Miami, FL, for Judge King.

Judge King's distinguished tenure on the bench has spanned four decades, during which our judicial system has faced some of the most challenging disputes in the history of our Nation.

In 1964 Mr. King was appointed circuit judge for the 11th Judicial Circuit of Florida. In 1970, President Nixon appointed Judge King as a U.S. district

judge for the Southern District of Florida. In 1984, he became chief judge of the U.S. district court for the Southern District of Florida. During his outstanding career, Judge King has had more than 200 published opinions.

In addition to his contributions to our judicial system from the bench, Judge King has been an effective advocate for improved judicial administration. Judge King served as 1 of 23 members on the Judicial Conference of the United States. He was also a member of the Judicial Council of the 11th Circuit Administrative Conference, the Judicial Ethics Committee and the Long Range Planning Committee for the Federal Judiciary, serving all with distinction.

While fulfilling his duties, Judge King foresaw the need for new courtroom and administrative facilities to accommodate the growing needs of the district and the law enforcement community. He began contacting community leaders to share his vision. After years of tireless effort, Judge King's vision became a reality.

The Federal justice building was built by the city of Miami with city bonds backed by a long-term lease from the General Services Administration. Today, this state-of-the-art facility houses the U.S. attorneys' office and will be home to six district judges, an 11th circuit judge and complete trial and appellate courts.

While many community leaders worked to complete the Federal justice building, Judge King was the guiding force behind its creation. This building should be named as a tribute to Judge King for his vision, leadership and effective stewardship of justice.●

#### CONGRATULATING KIEREN P. KNAPP, D.O.

● Mr. SANTORUM. Mr. President, I rise today so that I might call attention to a special honor bestowed upon Dr. Kieren P. Knapp of Seven Valleys, PA.

Mr. President, I would like to congratulate Dr. Knapp on his upcoming installation as the 81st president of the Pennsylvania Osteopathic Medical Association. Dr. Knapp will be installed as president at the 88th Annual POMA Clinical Assembly in Philadelphia on April 26, 1996.

I would like to call attention to this distinction by asking that a proclamation honoring Dr. Knapp be printed in the RECORD.

The proclamation follows:

#### PROCLAMATION

To honor Kieren P. Knapp, D.O., on his installation as the 81st President of the Pennsylvania Osteopathic Medical Association.

Whereas, Kieren P. Knapp has been Vice-President and delegate to the Pennsylvania Osteopathic Medical Association, and is a member of the House of Delegates to the American Osteopathic Association;

Whereas, Kieren P. Knapp has served on the Board of Trustees of the Pennsylvania Osteopathic General Practitioners Society;